

FILED

08 JUL -3 AM 11:33

RICHARD W. WALKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

E-filing

(PR)

CRB

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Charles Edward Lyons, II )  
10 )  
11 Plaintiff, ) CASE NO. 3205  
12 vs. )  
13 D.K. Sisto, Warden )  
14 a person having custody )  
of petitioner )  
Defendant. )  
15 \_\_\_\_\_

**PRISONER'S  
APPLICATION TO PROCEED  
IN FORMA PAUPERIS**

I, Charles Edward Lyons, II, declare, under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes        No X

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: \_\_\_\_\_ Net: \_\_\_\_\_

Employer: \_\_\_\_\_

\_\_\_\_\_

If the answer is "no," state the date of last employment and the amount of the gross and net salary

PRIS. APPLIC. TO PROC. IN FORMA

PAUPERIS, Case No. \_\_\_\_\_

1 and wages per month which you received. (If you are imprisoned, specify the last place of  
2 employment prior to imprisonment.)

3 C.D.F

6       2.     Have you received, within the past twelve (12) months, any money from any of the following  
7     sources:

- 8      a. Business, Profession or Yes  No   
9               self employment

10     b. Income from stocks, bonds, Yes  No   
11               or royalties?

12     c. Rent payments? Yes  No

13     d. Pensions, annuities, or Yes  No   
14               life insurance payments?

15     e. Federal or State welfare payments, Yes  No   
16               Social Security or other govern-  
17               ment source?

18 If the answer is "yes" to any of the above, describe each source of money and state the amount  
19 received from each.

20 \_\_\_\_\_  
21 \_\_\_\_\_

22 3. Are you married? Yes  No

23 Spouse's Full Name: \_\_\_\_\_

24 Spouse's Place of Employment:

25 Spouse's Monthly Salary, Wages or Income:

26 Gross \$ \_\_\_\_\_

27 4. a. List amount you contribute to your spouse's support : \$ \_\_\_\_\_

b. List the persons other than your spouse who are dependent upon you for support  
PRIS. APPLIC. TO PROC. IN FORMA

PAUPERIS, Case No. \_\_\_\_\_

1 and indicate how much you contribute toward their support. (NOTE: For minor  
 2 children, list only their initials and ages. DO NOT INCLUDE THEIR NAMES.).  
 3 \_\_\_\_\_  
 4 \_\_\_\_\_

5. Do you own or are you buying a home? Yes  No

6. Estimated Market Value: \$ \_\_\_\_\_ Amount of Mortgage: \$ \_\_\_\_\_

7. Do you own an automobile? Yes  No

8. Make \_\_\_\_\_ Year \_\_\_\_\_ Model \_\_\_\_\_

9. Is it financed? Yes  No  If so, Total due: \$ \_\_\_\_\_

10. Monthly Payment: \$ \_\_\_\_\_

11. 7. Do you have a bank account? Yes  No  (Do not include account numbers.)

12. Name(s) and address(es) of bank: \_\_\_\_\_  
 13. \_\_\_\_\_  
 14. Present balance(s): \$ \_\_\_\_\_

15. Do you own any cash? Yes  No  Amount: \$ \_\_\_\_\_

16. Do you have any other assets? (If "yes," provide a description of each asset and its estimated  
 17. market value.) Yes  No   
 18. \_\_\_\_\_

19. 8. What are your monthly expenses?

20. Rent: \$ \_\_\_\_\_ Utilities: \_\_\_\_\_

21. Food: \$ \_\_\_\_\_ Clothing: \_\_\_\_\_

22. Charge Accounts:

Name of Account	Monthly Payment	Total Owed on This Acct.
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

27. 9. Do you have any other debts? (List current obligations, indicating amounts and to whom  
 28. they are payable. Do not include account numbers.)  
 PRIS. APPLIC. TO PROC. IN FORMA

1

2

3 10. Does the complaint which you are seeking to file raise claims that have been presented in  
4 other lawsuits? Yes  No

5 Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in which  
6 they were filed.

7

8

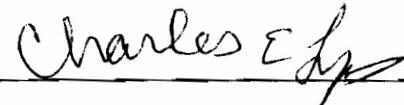
9 I consent to prison officials withdrawing from my trust account and paying to the court the  
10 initial partial filing fee and all installment payments required by the court.

11 I declare under the penalty of perjury that the foregoing is true and correct and understand  
12 that a false statement herein may result in the dismissal of my claims.

13

14

June 20, 2008



15

DATE

SIGNATURE OF APPLICANT

16

17

18

19

20

21

22

23

24

25

26

27

28

PRIS. APPLIC. TO PROC. IN FORMA

PAUPERIS, Case No. \_\_\_\_\_

- 4 -

## Case 3:08-cv-03205-CRB Document 4 Filed 07/03/2008 Page 5 of 7

CALIFORNIA DEPARTMENT OF CORRECTIONS  
 CALIFORNIA STATE PRISON SOLANO  
 INMATE TRUST ACCOUNTING SYSTEM  
 INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: JAN 01, 2008 THRU APR 04, 2008

ACCOUNT NUMBER : V76614

BED/CELL NUMBER: S21ET200000000250

ACCOUNT NAME : LYONS, CHARLES EDWARD

ACCOUNT TYPE: I

PRIVILEGE GROUP: B

## TRUST ACCOUNT ACTIVITY

&lt;&lt; NO ACCOUNT ACTIVITY FOR THIS PERIOD &gt;&gt;

## CURRENT HOLDS IN EFFECT

DATE PLACED	HOLD CODE	DESCRIPTION	COMMENT	HOLD AMOUNT
3/07/2008	H118	LEGAL COPIES HOLD	3858-L/CPY	0 .00
3/24/2008	H118	LEGAL COPIES HOLD	3858-L/CPY	0 .20

## TRUST ACCOUNT SUMMARY

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	CURRENT BALANCE	HOLDS	TRANSACTIONS TO BE POSTED
0 .00	0 .00	0 .00	0 .00	0 .40	0 .00

CURRENT AVAILABLE BALANCE

0 .40

CALIFORNIA DEPARTMENT OF CORRECTIONS  
CALIFORNIA STATE PRISON SOLANO  
INMATE TRUST ACCOUNTING SYSTEM  
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: JUL. 01, 2007 THRU OCT. 05, 2007

ACCOUNT NUMBER : V76614 BED/CELL NUMBER: S212T2000000229L  
ACCOUNT NAME : LYONS, CHARLES EDWARD ACCOUNT TYPE: I  
PRIVILEGE GROUP: B

TRUST ACCOUNT ACTIVITY

<< NO ACCOUNT ACTIVITY FOR THIS PERIOD >>

TRUST ACCOUNT SUMMARY

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	CURRENT BALANCE	HOLDS BALANCE	TRANSACTIONS- TO BE POSTED
0.00	0.00	0.00	0.00	0.00	0.00

CURRENT AVAILABLE BALANCE
0.00

D E C L A R A T I O N

I, Charles Edward Lyons, II, declare that:

- 1) I wrote the Trust Office here at the institution by the institutional mail, to obtain a certified Certificate of Trust, per prison policy. I am still awaiting the signed certified copy that needs to be attached with this writ of habeas for proper filing.
- 2) I am a indigent, and I have had zero funds in my trust account for the past year to date.
- 3) As soon as I receive the certified copy of my trust account, I will forward it to the Courts Clerk.

I declare under the penalty of perjury that the above stated is true and correct.

Charles E. Lyons

Charles E. Lyons, II